

Senate Amendment 5380

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1 1 Amend Senate File 2425 as follows:
1 2 #1. By striking page 132, line 14, through page
1 3 133, line 15, and inserting the following:
1 4 <Sec. _____. Section 236.2, Code 2007, is amended by
1 5 adding the following new subsection:
1 6 NEW SUBSECTION. 4A. "Household pet" means pet as
1 7 defined in section 198.3.
1 8 Sec. _____. Section 236.3, subsection 6, Code 2007,
1 9 is amended to read as follows:
1 10 6. Name and age of each child under eighteen whose
1 11 welfare may be affected by the controversy. The
1 12 petition may also specify household pets which may be
1 13 affected by the controversy.
1 14 Sec. _____. Section 236.4, subsection 2, Code 2007,
1 15 is amended to read as follows:
1 16 2. The court may enter any temporary order it
1 17 deems necessary to protect the plaintiff from domestic
1 18 abuse prior to the hearing, including temporary
1 19 custody or visitation orders or temporary orders
1 20 relating to household pets, upon good cause shown in
1 21 an ex parte proceeding. Present danger of domestic
1 22 abuse to the plaintiff constitutes good cause for
1 23 purposes of this subsection.
1 24 a. The court may award temporary custody of or
1 25 establish temporary visitation rights with regard to
1 26 children under eighteen years of age. In awarding
1 27 temporary custody or temporary visitation rights, the
1 28 court shall give primary consideration to the safety
1 29 of the alleged victim and the children. Prior to the
1 30 entry of any temporary order pursuant to this
1 31 subsection related to a child-custody determination as
1 32 defined in section 598B.102, the plaintiff shall
1 33 comply with the provisions of section 598B.209. If
1 34 the court finds that the safety of the alleged victim
1 35 will be jeopardized by unsupervised or unrestricted
1 36 visitation, the court shall set conditions or restrict
1 37 visitation as to time, place, duration, or
1 38 supervision, or deny visitation entirely, as needed to
1 39 guard the safety of the victim and the children. The
1 40 court shall also determine whether any other existing
1 41 orders awarding custody or visitation should be
1 42 modified.
1 43 b. The court may issue a temporary order granting
1 44 the petitioner the exclusive care, possession, or
1 45 control of a household pet specified in the petition
1 46 which may be affected by the controversy. In granting
1 47 temporary care, possession, or control of a household
1 48 pet, the court shall give primary consideration to the
1 49 safety of the alleged victim and the children.
1 50 Sec. _____. Section 236.5, subsection 2, Code 2007,
2 1 is amended by adding the following new paragraph:
2 2 NEW PARAGRAPH. bb. That the plaintiff or
2 3 defendant have exclusive care, possession, or control
2 4 of a household pet affected by the controversy.>
2 5 #2. By renumbering as necessary.
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2 9 JACK HATCH
2 10 SF 2425.506 82
2 11 pf/jp/11624